

**Amendments to the Claims**

**WHAT IS CLAIMED IS:**

1-16 (cancelled)

5 17 (currently amended). A product server for holding and displaying products, the product server having a front customer side, a rear employee side, and a breath guard, said breath guard comprising:

10 a panel cover attached to the product server for pivotal movement between a lowered position ~~preventing access to covering~~ said products held by the product server and a raised position in which the cover serves as a breath guard and allowing allows access to [[the]] said products; and

15 at least one power assist device connected to said product server and said panel cover for assisting [[the]] pivotal movement of the panel cover between its lowered position and its raised position.

18 (currently amended). A product server as set forth in claim 17 wherein said at least one power assist device applies a lifting force to said panel cover.

19 (currently amended). A product server as set forth in claim 18 wherein said panel cover is pivotable from its lowered position to an intermediate position by the application of a manual lifting force and is pivotable from its intermediate position to its raised by position by [[the]] a lifting force of the power assist device ~~without the application of a manual lifting force~~.

20 (currently amended). A product server as set forth in claim 17 wherein said panel cover is pivotably attached to ~~said~~

~~support frame~~ the product server near the customer side of the server.

21 (currently amended). A product server as set forth in claim 20 wherein said panel cover is pivotable through approximately 60 degrees of angular motion from its lowered position to its raised position.

22 (original). A product server as set forth in claim 17 wherein said at least one power assist device comprises a gas spring.

23 (currently amended). A product server as set forth in claim 17 wherein said panel cover is sufficiently transparent to allow viewing of the products held in the product server.

24 (currently amended). A product server as set forth in claim 17 wherein said raised position of the panel cover allows access to the products from the employee side of the server.

25 (currently amended). A product server for holding and displaying products, the product server having a front customer side and a rear employee side, and a breath guard, said breath guard comprising

5 a panel cover attached to the product server for pivotal movement between a lowered position ~~preventing access to covering~~ said products held by the product server and a raised position in which the cover serves as a breath guard and allowing allows access to the products,

10 a first power assist device connected to said frame product server and said panel cover for applying an upward force on the panel cover to assist pivotal movement of the panel cover between

15 from its lowered position [[and]] to its raised position, and  
a second power assist device connected to said ~~frame~~  
product server and said panel cover for resisting [[the]]  
movement of the panel cover from its raised position to its  
lowered positions position thereby providing controlled downward  
movement of the panel cover.

26 (currently amended). A product server as set forth in  
claim 25 wherein said first power assist ~~devices~~ device comprises  
a gas spring.

27 (currently amended). A product server as set forth in  
claim 25 wherein said second power assist ~~devices~~ device  
comprises a damper.

28 (currently amended). A product server as set forth in  
claim 25 wherein said panel cover is pivotable from its lowered  
position to an intermediate position by the application of a  
manual lifting force and is pivotable from its intermediate  
position to its raised [[by]] position by the upward force of the  
first power assist device ~~without the application of a manual~~  
~~lifting force~~.

29 (currently amended). A product server as set forth in  
claim 25 wherein said panel cover is sufficiently transparent to  
allow viewing of the products held in the product server.

30 (currently amended). A product server as set forth in  
claim 25 further comprising a seal on the panel cover for sealing  
against an upwardly facing surface on the product server to  
substantially enclose the products held by the server when the  
panel cover is in the lowered position.

31 (currently amended). A product server as set forth in claim 25 wherein said raised position of the panel cover allows access to the products from the employee side of the server.

32 (new). A product server for holding and displaying products, the product server comprising a cabinet having a recess for supporting a plurality of food serving pans for holding said products, a heating or refrigeration system housed in the cabinet for regulating the temperature of the products held in the food serving pans, a front customer side, a rear employee side, and a breath guard, said breath guard comprising

a cover attached to the product server and moveable between a lowered position covering said food-serving pans and a raised position in which the cover serves as a breath guard and allows access to said food serving pans, and

at least one power assist device connected to said product server and said cover for assisting pivotal movement of the cover between its lowered position and its raised position.

33 (new). The product server as set forth in claim 32 wherein said cover comprises a panel which in said raised position has an angle with respect to the product server between approximately 45 degrees and approximately 90 degrees.

34 (new). The product server as set forth in claim 33 wherein said angle of the panel at the raised position is approximately 60 degrees.

35 (new). A product server as set forth in claim 32 further comprising a support frame mounted on the product server and connected to said at least one power assist device.

36 (new). A product server as set forth in claim 35 further comprising a second power assist device connected to said support frame and said cover.

37 (new). A product server as set forth in claim 36 wherein said support frame comprises a pair of upright frame members extending up from the product server generally near opposite sides of the cover and generally adjacent the customer side of the product server.

38 (new). A product server as set forth in claim 37 wherein said second power assist device is connected to one of said upright frame members of the support frame.

39 (new). A product server as set forth in claim 38 wherein said first power assist device pivots around a fixed end attached to the product server, and wherein said second power assist device pivots around a fixed end attached to the upright frame member.